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**OFFICIAL****FACSIMILE COVER SHEET**

Date: June 2, 2004

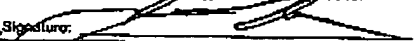
To: USPTO/Group Art Unit 2857  
Fax No: (703) 872-9306From: James L. Katz  
Tel. No: (312) 321-7739

Client No: 6270/131

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(inc. this page): 5Confirmation Copy To Follow: Yes ☐ No ☒IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,  
PLEASE CALL 312-321-4200 AND ASK FOR: Shirley Riley

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**COVER MESSAGE:**Re: Gilbert et al.  
10/712,960  
Filed: November 13, 2003  
"INTELLIGENT ELECTRONIC DEVICE HAVING NETWORK ACCESS"**BRINKS  
HOFFER  
GILSON  
& LIONE**A Professional Corporation  
Intellectual Property AttorneysNBC Tower - Suite 3600  
455 N. Cityfront Plaza Drive  
Chicago, Illinois 60611-5599  
Facsimile 312-321-4299  
Telephone 312-321-4200San Jose, CA  
Indianapolis, IN  
Ann Arbor, MI  
Arlington, VA

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8		
I hereby certify that this correspondence, totaling 7 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9308 (Central number) on the below date:		
Date: June 2, 2004	Name: James L. Katz	Signature: 

**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Gilbert et al.

Appln. No.: 10/712,960

Filed: November 13, 2003

For: INTELLIGENT ELECTRONIC DEVICE  
HAVING NETWORK ACCESS

Examiner: E. Raymond

Art Unit: 2857

Attorney Docket No: 6270/131

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

### TRANSMITTAL

Sir:

**Attached is/are:**

- ☒ Response.  
☐ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+ \$290=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

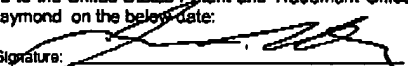
Date

6/2/04

Respectfully submitted

Jam s L. Katz (Reg. No. 42,711)

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8		
I hereby certify that this correspondence, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-8306 (Central number) and to Examiner E. Raymond on the below date:		
Date: June 2, 2004	Name: James L. Ketz	Signature: 

BHGL Case No. 6270/131

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Gilbert et al.	)	
	)	Examiner: E. Raymond
Serial No. 10/712,960	)	
	)	Group Art Unit No. 2857
Filing Date: November 13, 2003	)	
	)	
For INTELLIGENT ELECTRONIC	)	
DEVICE HAVING NETWORK	)	
ACCESS	)	

## RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of May 28, 2004, please consider the following remarks.

Pursuant to 37 C.F.R. § 1.604, on February 12, 2004, Applicants notified the Examiner that, in the above captioned patent application filed November 13, 2003 and accompanying Preliminary Amendment, Applicants had substantially copied claims from U.S. Patent Application Serial No. 10/121,262, published as U.S. Patent Publication No. 2002/0169570 A1 on November 14, 2002 and as amended on November 17, 2003 (the "'262 application"), for the purpose of interference. U.S. Patent Application Serial No. 10/121,262 is currently pending before Examiner Felix E. Suarez in Group Art Unit 2857.

The file history of the '262 application included an amendment to the published claims, filed on November 17, 2003. The Preliminary Amendment to the above captioned